



Practitioner's Docket No. MPI01-047P1RNM

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Kapeller Libermann, Rosana et al.  
Application No.: 10/077,130 Group No.: 1652  
Filed: February 15, 2002 Examiner: Maryam Monshipouri  
For: 59079 AND 12599, PROTEIN KINASE FAMILY MEMBERS AND USES  
THEREFOR

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**

**IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING  
INFORMATION DISCLOSURE STATEMENT**

1. The information disclosure statement submitted herewith is being filed:

Within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. section 1.97(b).

**OR**

After three months of the filing date of this national application or the date of entry of the national stage as set forth in Section 1.491 in an international application or after the mailing date of the first Office action on the merits, whichever event occurred last but *before* the mailing date of either:

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**CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10\***

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

deposited with the United States Postal Service in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**37 C.F.R. SECTION 1.8(a)**

**37 C.F.R. SECTION 1.10\***

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transmitted by facsimile to the Patent and Trademark Office.

  
Signature

Sean Hunziker

(type or print name of person certifying)

Date: July 27, 2004

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- (1) a final action under Section 1.113,
- (2) a notice of allowance under Section 1.311, or
- (3) an action that otherwise closes prosecution in the application

whichever occurs first.

Accompanying this transmittal is the fee set forth in 37 C.F.R. Section 1.17(p) for submission of an information disclosure statement under Section 1.97(c). (\$180.00).

Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. 37 C.F.R. Section 1.97(e)(1).

No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and to the knowledge of the person signing the statement after making reasonable inquiry, was known to any individual designated in Section 1.56(c) more than three months prior to the filing of the information disclosure statement. 37 C.F.R. Section 1.97(e)(2).

**FEE PAYMENT**

2.  The fee due is set forth in 37 C.F.R. Section 1.17(p) for submission of an information disclosure statement under Section 1.97(c) (\$180.00).

Applicant believes no fee is due in connection with this submission.

Fee due \$0.00

**METHOD OF PAYMENT OF FEE**

3.  Attached is a check in the amount of \$ \_\_\_\_\_.  
 Charge Account No. 501668 in the amount of \$0.00.  
 A duplicate of this request is attached.

If any additional fees are due, please charge Account 501668.

July 27, 2004

MILLENNIUM PHARMACEUTICALS, INC.

By Mario Cloutier  
Mario Cloutier  
Limited Recognition Under 37 C.F.R. §10.9(b)  
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**INFORMATION DISCLOSURE STATEMENT**

**List of Sections Forming Part of This Information Disclosure Statement**

The following sections are being submitted for this Information Disclosure Statement:

1.  Preliminary Statements;
2.  Forms PTO/SB/08A and PTO/SB/08B (substitute for Form PTO-1449);
3.  Copy of Listed Information Item Accompanying This Statement (AA, BA-BD, CA-CD)

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**Preliminary statements**

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. section 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

**Copies of Listed Information Items Accompanying This Statement**

Legible copy of items listed in Forms PTO/SB/08A and PTO/SB/08B (substitute for Form PTO-1449) accompany this information statement.

July 27, 2004

MILLENNIUM PHARMACEUTICALS, INC.

By:



Mario Cloutier

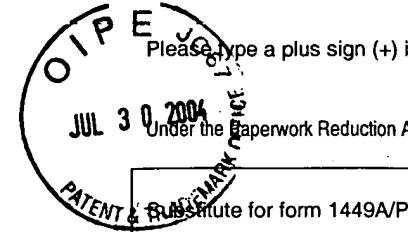
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PTO/SB/08A (10-96)

Approved for use through 10/31/99. OMB 0654-0031

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<p style="text-align: right;">FEE TRANSMISSION INFORMATION</p> <p>INSTITUTE for form 1449A/PTO</p> <h1>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</h1> <p>(use as many sheets as necessary)</p>				<i><b>Complete if Known</b></i>	
Sheet	1	of	1	Application Number	10/077,130
				Filing Date	February 15, 2002
				First Named Inventor	Kapeller Libermann, Rosana et al.
				Group Art Unit	1652
				Examiner Name	Maryam Monshipouri
				Attorney Docket Number	MPI01-047P RNM

U.S. PATENT DOCUMENTS

## **FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document (MM-DD-YYYY)	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>	
		Office <sup>3</sup>	Kind Code <sup>5</sup> Number <sup>4</sup> (if known)					
	BA		WO 02/40683	A2	PE Corporation (NY)	05-23-2002	Entire document, SEQ ID 1 & 2	
	BB		WO 01/55356	A2	Sugen, Inc.	08-02-2001	Entire document, SEQ ID 14 & 46	
	BC		WO 02/33099	A2	Incyte Genomics, Inc.	04-25-2002	Pages 1-134 of Specification, pages 1, 47-51 & 74-75 of Sequence Listing, SEQ ID 22 & 44	
	BD		WO 00/63381	A1	Scios, Inc.	10-26-2000	Entire document, SEQ ID 5 & 6	

Examiner Signature		Date Considered	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Unique citation design number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>8</sup>Applicant is to place a check mark here if English language Translation is attached.

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Complete if Known**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 1

Application Number	10/077,130
Filing Date	February 15, 2002
First Named Inventor	Kapeller Libermann, Rosana et al.
Group Art Unit	1652
Examiner Name	Maryam Monshipouri
Attorney Docket Number	MPI01-047PIRNM

**OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include the name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	CA	Nagase, Takahiro, et. al., "Prediction of the Coding Sequences of Unidentified Human Genes, XVIII. The Complete Sequences of 100 New cDNA Clones from Brain Which Code for Large Proteins <i>in vitro</i> ", <i>DNA Research</i> , Vol. 7, (2000), pp. 273-281.	
	CB	Young, Paul, et. al., "Obscurin, A Giant Sarcomeric Rho Guanine Nucleotide Exchange Factor Protein Involved in Sarcomere Assembly, Vol. 154, No. 1, (July 9, 2001), pp. 123-136.	
	CC	Ohara, O., et. al., "Homo Sapiens mRNA for KIAA1639 Protein, Partial Cds," February 22, 2001, (sequence) GenBank [online] Bethesda, MD, USA: National Center for Biotechnology Information [retrieved on July 20, 2004]. Retrieved from the Internet: URL: <a href="http://www.ncbi.nlm.nih.gov/">http://www.ncbi.nlm.nih.gov/</a> . GenBank Accession No. AB046859.	
	CD	Gautel, M.S., "Homo Sapiens mRNA for Obscurin (OBSCN gene)," September 14, 2001, (sequence) GenBank [online] Bethesda, MD, USA: National Center for Biotechnology Information [retrieved on July 20, 2004]. Retrieved from the Internet: URL: <a href="http://www.ncbi.nlm.nih.gov/">http://www.ncbi.nlm.nih.gov/</a> . GenBank Accession No. AJ002535.	
Examiner Signature		Date Considered	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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